

§ 63.9(a) through (d) and (i) through (j), with the exception that the deadline specified in § 63.9(b) (2) and (3) shall be extended from 120 days to 180 days. Any owner or operator that receives approval pursuant to § 63.783(c) to use an add-on control system to control coating emissions shall comply with the applicable requirements of § 63.9(e) through (h).

(b) *Implementation plan.* The provisions of § 63.9(a) apply to the requirements of this paragraph.

(1) Each owner or operator of an affected source shall:

(i) Prepare a written implementation plan that addresses each of the subject areas specified in paragraph (b)(3) of this section; and

(ii) Not later than one year after the effective date of this subpart, submit the implementation plan to the Administrator along with the notification required by § 63.9(b)(2) or (b)(5) of subpart A, as applicable.

(2) [Reserved]

(3) *Implementation plan contents.* Each implementation plan shall address the following subject areas:

(i) *Coating compliance procedures.* The implementation plan shall include the compliance procedure(s) under § 63.785(c) that the source intends to use.

(ii) *Recordkeeping procedures.* The implementation plan shall include the procedures for maintaining the records required under § 63.788, including the procedures for gathering the necessary data and making the necessary calculations.

(iii) *Transfer, handling, and storage procedures.* The implementation plan shall include the procedures for ensuring compliance with § 63.783(b).

(4) *Major sources that intend to become area sources by the compliance date.* Existing major sources that intend to become area sources by the December 16, 1997 compliance date may choose to submit, in lieu of the implementation plan required under paragraph (b)(1) of this section, a statement that, by the compliance date, the major source intends to obtain and comply with federally enforceable limits on their poten-

tial to emit which make the facility an area source.

[60 FR 64336, Dec. 15, 1995, as amended at 61 FR 30816, June 18, 1996]

§ 63.788 Recordkeeping and reporting requirements.

(a) Each owner or operator of an affected source shall comply with the applicable recordkeeping and reporting requirements in § 63.10 (a), (b), (d), and (f). Any owner that receives approval pursuant to § 63.783(c) to use an add-on control system to control coating emissions shall also comply with the applicable requirements of § 63.10 (c) and (e). A summary of recordkeeping and reporting requirements is provided in Table 3 of this subpart.

(b) *Recordkeeping requirements.* (1) Each owner or operator of a major source shipbuilding or ship repair facility having surface coating operations with less than 1000 liters (L) (264 gallons (gal)) annual marine coating usage shall record the total volume of coating applied at the source to ships. Such records shall be compiled monthly and maintained for a minimum of 5 years.

(2) Each owner or operator of an affected source shall compile records on a monthly basis and maintain those records for a minimum of 5 years. At a minimum, these records shall include:

(i) All documentation supporting initial notification;

(ii) A copy of the affected source's approved implementation plan;

(iii) The volume of each low-usage-exempt coating applied;

(iv) Identification of the coatings used, their appropriate coating categories, and the applicable VOHAP limit;

(v) Certification of the as-supplied VOC content of each batch of coating;

(vi) A determination of whether containers meet the standards as described in § 63.783(b)(2); and

(vii) The results of any Method 24 of appendix A to 40 CFR part 60 or approved VOHAP measurement test conducted on individual containers of coating, as applied.

(3) The records required by paragraph (b)(2) of this section shall include additional information, as determined by the compliance procedure(s) described

in § 63.785(c) that each affected source followed:

(i) *Coatings to which thinning solvent will not be added.* The records maintained by facilities demonstrating compliance using the procedure described in § 63.785(c)(1) shall contain the following information:

(A) Certification of the as-applied VOC content of each batch of coating; and

(B) The volume of each coating applied.

(ii) *Coatings to which thinning solvent will be added—coating-by-coating compliance.* The records maintained by facilities demonstrating compliance using the procedure described in § 63.785(c)(2) shall contain the following information:

(A) The density and mass fraction of water and exempt compounds of each thinner and the volume fraction of solids (nonvolatiles) in each batch, including any calculations;

(B) The maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2 of this subpart) for each batch of coating, including calculations;

(C) If an affected source chooses to comply with the cold-weather limits, the dates and times during which the ambient temperature at the affected source was below 4.5°C (40°F) at the time the coating was applied and the volume used of each batch of the coating, as supplied, during these dates;

(D) The volume used of each batch of the coating, as supplied;

(E) The total allowable volume of thinner for each coating, including calculations; and

(F) The actual volume of thinner used for each coating.

(iii) *Coatings to which the same thinning solvent will be added—group compliance.* The records maintained by facilities demonstrating compliance using the procedure described in § 63.785(c)(3) shall contain the following information:

(A) The density and mass fraction of water and exempt compounds of each thinner and the volume fraction of solids in each batch, including any calculations;

(B) The maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2 of this subpart) for each batch of coating, including calculations;

(C) If an affected source chooses to comply with the cold-weather limits, the dates and times during which the ambient temperature at the affected source was below 4.5°C (40°F) at the time the coating was applied and the volume used of each batch in the group, as supplied, during these dates;

(D) Identification of each group of coatings and their designated thinners;

(E) The volume used of each batch of coating in the group, as supplied;

(F) The total allowable volume of thinner for the group, including calculations; and

(G) The actual volume of thinner used for the group.

(iv) *Demonstration of compliance through an alternative (i.e., non-Method 24 in appendix A to 40 CFR part 60) test method.* The records maintained by facilities demonstrating compliance using the procedure described in § 63.785(c)(4) shall contain the following information:

(A) Identification of the Administrator-approved VOHAP test method or certification procedure;

(B) For coatings to which the affected source does not add thinning solvents, the source shall record the certification of the as-supplied and as-applied VOHAP content of each batch and the volume of each coating applied;

(C) For coatings to which the affected source adds thinning solvent on a coating-by-coating basis, the source shall record all of the information required to be recorded by paragraph (b)(3)(ii) of this section; and

(D) For coatings to which the affected source adds thinning solvent on a group basis, the source shall record all of the information required to be recorded by paragraph (b)(3)(iii) of this section.

(4) If the owner or operator of an affected source detects a violation of the standards specified in § 63.783, the owner or operator shall, for the remainder of the reporting period during

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which the violation(s) occurred, include the following information in his or her records:

(i) A summary of the number and duration of deviations during the reporting period, classified by reason, including known causes for which a Federally-approved or promulgated exemption from an emission limitation or standard may apply.

(ii) Identification of the data availability achieved during the reporting period, including a summary of the number and total duration of incidents that the monitoring protocol failed to perform in accordance with the design of the protocol or produced data that did not meet minimum data accuracy and precision requirements, classified by reason.

(iii) Identification of the compliance status as of the last day of the reporting period and whether compliance was continuous or intermittent during the reporting period.

(iv) If, pursuant to paragraph (b)(4)(iii) of this section, the owner or operator identifies any deviation as resulting from a known cause for which no Federally-approved or promulgated exemption from an emission limitation or standard applies, the monitoring report shall also include all records that the source is required to maintain that pertain to the periods during which such deviation occurred and:

(A) The magnitude of each deviation;
(B) The reason for each deviation;

(C) A description of the corrective action taken for each deviation, including action taken to minimize each deviation and action taken to prevent recurrence; and

(D) All quality assurance activities performed on any element of the monitoring protocol.

(c) *Reporting requirements.* Before the 60th day following completion of each 6-month period after the compliance date specified in §63.784, each owner or operator of an affected source shall submit a report to the Administrator for each of the previous 6 months. The report shall include all of the information that must be retained pursuant to paragraphs (b) (2) through (3) of this section, except for that information specified in paragraphs (b)(2) (i) through (ii), (b)(2)(v), (b)(3)(i)(A), (b)(3)(ii)(A), and (b)(3)(iii)(A). If a violation at an affected source is detected, the source shall also report the information specified in paragraph (b)(4) of this section for the reporting period during which the violation(s) occurred. To the extent possible, the report shall be organized according to the compliance procedure(s) followed each month by the affected source.

[60 FR 64336, Dec. 15, 1995, as amended at 61 FR 66227, Dec. 17, 1996]

TABLE 1 TO SUBPART II OF PART 63—GENERAL PROVISIONS OF APPLICABILITY TO SUBPART II

Reference	Applies to subpart II	Comment
63.1(a)(1)–(3)	Yes.	Subpart II clarifies the applicability of each paragraph in subpart A to sources subject to subpart II.
63.1(a)(4)	Yes.	
63.1(a)(5)–(7)	Yes.	Discusses State programs.
63.1(a)(8)	No	
63.1(a)(9)–(14) ..	Yes.	§ 63.781 specifies applicability in more detail.
63.1(b)(1)	Yes.	
63.1(b)(2)–(3)	Yes.	Additional terms are defined in § 63.782; when overlap between subparts A and II occurs, subpart II takes precedence.
63.1(c)–(e)	Yes.	
63.2	Yes.	Other units used in subpart II are defined in that subpart.
63.3	Yes.	
63.4	Yes.	Except information on control devices and control efficiencies should not be included in the application unless an add-on control system is or will be used to comply with subpart II in accordance with § 63.783(c).
63.5(a)–(c)	Yes.	
63.5(d)	Yes.	Except § 63.784(a) specifies the compliance date for existing affected sources.
63.5(e)–(f)	Yes.	
63.6(a)–(b)	Yes.	If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with § 63.783(c), then these paragraphs do apply.
63.6(c)–(d)	Yes.	
63.6(e)–(f)	No	§ 63.783(c) specifies procedures for application and approval of alternative means of limiting emissions.
63.6(g)	No	

TABLE 1 TO SUBPART II OF PART 63—GENERAL PROVISIONS OF APPLICABILITY TO SUBPART II—
Continued

Reference	Applies to subpart II	Comment
63.6(h)	No	Subpart II does not contain any opacity or visible emission standards.
63.6(i)–(j)	Yes.	
63.7	No	If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with § 63.783(c), then this section does apply.
63.8	No	
63.9(a)–(d)	Yes	§ 63.787(a) extends the initial notification deadline to 180 days. § 63.787(b) requires an implementation plan to be submitted with the initial notification.
63.9(e)	No	
63.9(f)	No	Subpart II does not contain any opacity or visible emission standards
63.9(g)–(h)	No	
63.9(i)–(j)	Yes.	§ 63.788(b)–(c) list additional recordkeeping and reporting requirements.
63.10(a)–(b)	Yes	
63.10(c)	No	If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with § 63.783(c), then this paragraph does apply.
63.10(d)	Yes.	
63.10(e)	No	If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with § 63.783(c), then this paragraph does apply.
63.10(f)	Yes.	
63.11	No	If an alternative means of limiting emissions (e.g., an add-on control system) is used to comply with subpart II in accordance with § 63.783(c), then this section does apply.
63.12–63.15	Yes.	

TABLE 2 TO SUBPART II OF PART 63.—VOLATILE ORGANIC HAP (VOHAP) LIMITS FOR MARINE COATINGS

Coating category	VOHAP limits ^{a b c}		
	Grams/liter coating (minus water and exempt compounds)	Grams/liter solids ^d	
		t ≥ 4.5° C	t < 4.5° C ^e
General use	340	571	728
Specialty:			
Air flask	340	571	728
Antenna	530	1,439	
Antifoulant	400	765	971
Heat resistant	420	841	1,069
High-gloss	420	841	1,069
High-temperature	500	1,237	1,597
Inorganic zinc high-build	340	571	728
Military exterior	340	571	728
Mist	610	2,235	
Navigational aids	550	1,597	
Nonskid	340	571	728
Nuclear	420	841	1,069
Organic zinc	360	630	802
Pretreatment wash primer	780	11,095	
Repair and maint. of thermoplastics	550	1,597	
Rubber camouflage	340	571	728
Sealant for thermal spray aluminum	610	2,235	
Special marking	490	1,178	
Specialty interior	340	571	728
Tack coat	610	2,235	
Undersea weapons systems	340	571	728
Weld-through preon. primer	650	2,885	

^aThe limits are expressed in two sets of equivalent units. Either set of limits may be used for the compliance procedure described in § 63.785(c)(1), but only the limits expressed in units of g/L solids (nonvolatiles) shall be used for the compliance procedures described in § 63.785(c) (2) through (4).

^bVOC (including exempt compounds listed as HAP) shall be used as a surrogate for VOHAP for those compliance procedures described in § 63.785(c) (1) through (3).

^cTo convert from g/L to lb/gal, multiply by (3.785 L/gal)/(1/453.6 lb/g) or 1/120. For compliance purposes, metric units define the standards.

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^dVOHAP limits expressed in units of mass of VOHAP per volume of solids were derived from the VOHAP limits expressed in units of mass of VOHAP per volume of coating assuming the coatings contain no water or exempt compounds and that the volumes of all components within a coating are additive.

^eThese limits apply during cold-weather time periods, as defined in § 63.782. Cold-weather allowances are not given to coatings in categories that permit less than 40 percent volume solids (nonvolatiles). Such coatings are subject to the same limits regardless of weather conditions.

[60 FR 64336, Dec. 15, 1995, as amended at 61 FR 66228, Dec. 17, 1996]

TABLE 3 TO SUBPART II OF PART 63.—SUMMARY OF RECORDKEEPING AND REPORTING REQUIREMENTS^{a b c}

Requirement	All Opts.		Option 1		Option 2		Option 3	
	Rec	Rep	Rec	Rep	Rec	Rep	Rec	Rep
Notification (§ 63.9(a)–(d))	X	X						
Implementation plan (§ 63.787(b)) ^d	X	X						
Volume of coating applied at unaffected major sources (§ 63.781(b))	X							
Volume of each low-usage-exempt coating applied at affected sources (§ 63.781(c))	X	X						
ID of the coatings used, their appropriate coating categories, and the applicable VOHAP limit	X	X						
Determination of whether containers meet the standards described in § 63.783(b)(2)	X	X						
Results of M–24 or other approved tests	X	X						
Certification of the as-supplied VOC content of each batch	X							
Certification of the as-applied VOC content of each batch			X					
Volume of each coating applied			X	X				
Density of each thinner and volume fraction of solids in each batch					X	X		
Maximum allowable thinning ratio(s) for each batch					X	X	X	X
Volume used of each batch, as supplied					X	X	X	X
Total allowable volume of thinner					X	X	X	X
Actual volume of thinner used					X	X	X	X
Identification of each group of coatings and designated thinners							X	X

^aAffected sources that comply with the cold-weather limits must record and report additional information, as specified in § 63.788(b)(3) (ii)(C), (iii)(C), and (iv)(D).

^bAffected sources that detect a violation must record and report additional information, as specified in § 63.788(b)(4).

^cOPTION 4: the recordkeeping and reporting requirements of Option 4 are identical to those of Options 1, 2, or 3, depending on whether and how thinners are used. However, when using Option 4, the term “VOHAP” shall be used in lieu of the term “VOC,” and the owner or operator shall record and report the Administrator-approved VOHAP test method or certification procedure.

^dMajor sources that intend to become area sources by the compliance date may, in lieu of submitting an implementation plan, choose to submit a statement of intent as specified in § 63.787(b)(4).

APPENDIX A TO SUBPART II OF PART 63— VOC DATA SHEET¹

Properties of the Coating “As Supplied” by the Manufacturer²

Coating Manufacturer: _____
Coating Identification: _____
Batch Identification: _____
Supplied To: _____

Properties of the coating as supplied¹ to the customer:

A. Coating Density: (D_c)_s _____ g/L
[] ASTM D1475–90* [] Other³

B. Total Volatiles: (m_v)_s _____ Mass Percent
[] ASTM D2369–93* [] Other³

C. Water Content: 1. (m_w)_s _____ Mass Percent
[] ASTM D3792–91* [] ASTM D4017–90*
[] Other³

2. (v_w)_s _____ Volume Percent
[] Calculated [] Other³

D. Organic Volatiles: (m_o)_s _____ Mass Percent

E. Nonvolatiles: (v_n)_s _____ Volume Percent
[] Calculated [] Other³

F. VOC Content (VOC)_s:

1. _____ g/L solids (nonvolatiles)

2. _____ g/L coating (less water and exempt compounds)

G. Thinner Density: D_{th} _____ g/L
ASTM _____ [] Other³

Remarks: (use reverse side)

Signed: _____ Date: _____

¹Adapted from EPA-340/1-86-016 (July 1986), p. II-2.

²The subscript “s” denotes each value is for the coating “as supplied” by the manufacturer.

*Incorporation by reference—see § 63.14.

³Explain the other method used under “Remarks.”